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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/754,702	01/12/2004	Shunpei Yamazaki	07977-005004	9094
26171	7590	03/20/2006	EXAMINER	
FISH & RICHARDSON P.C. P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			CHIEN, LUCY P	
			ART UNIT	PAPER NUMBER
			2871	

DATE MAILED: 03/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/754,702	<b>Applicant(s)</b> YAMAZAKI ET AL.	
	<b>Examiner</b> Lucy P. Chien	<b>Art Unit</b> 2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-52 is/are pending in the application.  
4a) Of the above claim(s) 1-29, 32-34, 37-39 and 42-44 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 30, 31, 35, 36, 40, 41 and 45-52 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☒ Certified copies of the priority documents have been received in Application No. 08/601,956.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>1/13/04, 7/16/04, 12/29/04, 5/12/05, 8/12/05</u> | <input type="checkbox"/> Other: ____   |

## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election without traverse of Group I (Claims 31,36,41,45-52) in the reply filed on 8/12/2005 is acknowledged. Claims 30,35, and 40 are generic.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claim 30,31,35,36,45-52** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ozawa et al (US 4608994) in view of Sawatsubashi et al (US 5148301).

#### **Regarding Claim 30,35,45-52**

Ozawa et al discloses (Fig.1) the use of a physiological monitoring device that uses a liquid crystal display (Column 3, rows 35-30) receives a plurality of physiological measurements, including the user's diastolic and systolic blood pressure, pulse rate and body temperature. The body temperature measurement has to be connected to the microprocessor (controller) by a lead out cable (Wire, see abstract) in order to display the results of a physiological measurement taken of the patient and to store the results (abstract).

Ozawa et al does not disclose the specific details of the liquid crystal display used in the physiological monitoring device.

Sawatsubashi et al discloses (Fig. 3,4) a display device having a pixel portion and a driving circuits (controller)(113) which are formed between a pair of substrates (101,102), a sealing material (108) formed between the substrates wherein the sealing material covers the driving circuits (controller)(113) and a data signal generating circuit which has to consist of a CPU (see Column 5,Row 17-32). Also comprises a controller (integrated circuit, see Column 4, rows 58-67) for controlling the driver circuit formed over the first substrate. Also, a pixel region comprising a plurality of TFTs (Column 4, rows 58-67) formed over the first substrate; a driver circuit comprising a plurality of TFTS for driving the pixel region, formed over the first substrate.

It would have been obvious to one of ordinary skilled in the art to modify Ozawa et al's display to include Sawatsubashi et al liquid crystal display motivated by the desire to provide a more compressed small sized liquid crystal display by having the driving circuits and CPU mounted on the substrate inside the seal to avoid the liquid crystal display panel having a large peripheral area which is not associated with the image display and to have the peripheral surround the display area in which the pixels are arranged in a matrix form, which is effective for image display (Column 2,row 23-36).

Regarding Claim 31,36,

In addition to Ozawa et al and Sawatsubashi et al as disclosed above, Ozawa et al discloses wherein the display device is a liquid crystal display device (Column 3, rows 35-30).

**Claim 40,41** are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamano et al (US 4743122) in view of Sawatsubashi et al (US 5148301).

Regarding Claim 40,41

Yamano discloses (Fig. 13) a body temperature measurement connected to the controller by an infrared signal (104) comprising a liquid crystal display device (105),

Yamano does not disclose the specific details of the liquid crystal device.

Sawatsubashi et al discloses (Fig. 3,4) a display device having a pixel portion and a driving circuits (controller)(113) which are formed between a pair of substrates (101,102), a sealing material (108) formed between the substrates wherein the sealing material covers the driving circuits (controller)(113). Also comprises a controller (integrated circuit, see Column 4, rows 58-67) for controlling the driver circuit formed over the first substrate. Also, a pixel region comprising a plurality of TFTs (Column 4, rows 58-67) formed over the first substrate; a driver circuit comprising a plurality of TFTS for driving the pixel region, formed over the first substrate.

It would have been obvious to one of ordinary skilled in the art to modify Yamano et al's display to include Sawatsubashi et al liquid crystal display motivated by the desire to provide a more compressed small sized liquid crystal display by having the driving circuits and CPU mounted on the substrate inside the seal to avoid the liquid

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crystal display panel having a large peripheral area which is not associated with the image display and to have the peripheral surround the display area in which the pixels are arranged in a matrix form, which is effective for image display (Column 2, row 23-36).


### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lucy P. Chien whose telephone number is 571-272-8579. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim can be reached on (571)272-2293. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lucy Chien  
Examiner  
Art Unit 2871  
LC

  
ANDREW SCHECHTER  
PRIMARY EXAMINER